a.) Amendment to the Claims

1. (Currently Amended) A process for producing an amino acid, which comprises the steps of:

culturing, in a medium, a microorganism ~~obtainable by introducing a~~ expressing a heterologous DNA ~~coding for energy non-production~~ encoding NADH dehydrogenase in which the number of protons discharged per electron is zero, said DNA being selected from the group consisting of SEQ ID NOS: 3, 5, 7, 9, 11, 13 and 15, or a DNA which hybridizes, under stringent conditions, with a DNA having a nucleotide sequence complementary to the nucleotide sequence of a DNA selected from the group consisting of SEQ ID NOS:3, 5, 7, 9, 11, 13 and 15,

forming and accumulating an amino acid in a culture, and

recovering the amino acid from the culture,

wherein said stringent condition comprise hybridization at 65ºC in the presence of 0.7 to 1.0 mol/l NaCl on a filter having fixed DNA followed by washing at 65ºC using 0.1 to 2-fold SSC.

2. (Currently Amended) The process according to claim 1, wherein the DNA ~~coding for energy non-production~~ encoding NADH dehydrogenase is ~~a DNA~~ derived from a microorganism selected from the group consisting of ~~microorganisms belonging to~~

~~the genus~~ *Corynebacterium, Escherichia, Pseudomonas, Azotobacter, Salmonella* ~~or~~ and *Lactobacillus*, or a DNA which hybridizes, under said stringent conditions, with a DNA having a nucleotide sequence complementary to the nucleotide sequence of the DNA.

3. (Currently Amended) The process according to claim 1, wherein the DNA ~~coding for energy non-production~~ encoding NADH dehydrogenase is ~~a DNA~~ derived from a microorganism selected from the group consisting of ~~microorganisms belonging to the species~~ *Corynebacterium glutamicum, Corynebacterium diphtheriae, Escherichia coli, Pseudomonas fluorescens, Azotobacter vinelandii, Salmonella typhimurium* ~~or~~ and *Lactobacillus plantarum*, or a DNA which hybridizes, under said stringent conditions, with a DNA having a nucleotide sequence complementary to the nucleotide sequence of the DNA.

Claim 4 (Cancelled).

5. (Currently Amended) The process according to claim 1, wherein the DNA ~~coding for energy non-production~~ encoding NADH dehydrogenase is ~~a DNA coding for energy non-production NADH dehydrogenase possessed by a~~ within the plasmid pCS-CGndh ~~carried by~~ within *Escherichia coli* DH5α/pCS-CGndh ~~(FERM BP-08633)~~ or a DNA which hybridizes, under said stringent conditions, with a DNA having a nucleotide

sequence complementary to the nucleotide sequence of the DNA ~~and which encodes a polypeptide having the energy non-production NADH dehydrogenase activity~~.

6. (Currently Amended) The process according to claim 1, wherein the ~~energy non-production~~ NADH dehydrogenase is a polypeptide having an amino acid sequence selected from the group consisting ~~of amino acids sequences represented by~~ SEQ ID NOs: 4, 6, 8, 10, 12, 14 and 16, or a polypeptide comprising an amino acid sequence wherein ~~one or more~~ 1 to 20 amino acid residues are deleted, substituted or added in the amino acid sequence of the polypeptide ~~and having the energy non-production NADH dehydrogenase activity~~.

7. (Currently Amended) The process according to claim 1, wherein the ~~energy non-production~~ NADH dehydrogenase is ~~a polypeptide~~ encoded by ~~the~~ DNA ~~coding for energy non-production NADH dehydrogenase~~ possessed by a plasmid pCS-CGndh ~~carried by~~ within *Escherichia coli* DH5α/pCS-CGndh ~~(FERM BP-08633)~~ or a polypeptide comprising an amino acid sequence wherein ~~one or more~~ 1 to 20 amino acid residues are deleted, substituted or added in the amino acid sequence of the polypeptide ~~and having the energy non-production NADH dehydrogenase activity~~.

8. (Previously Presented) The process according to ~~claim 2,~~ claim 1, wherein the microorganism into which the DNA ~~coding for energy non-production~~

encoding NADH dehydrogenase is introduced is ~~a microorganism~~ selected from the group consisting of ~~microorganisms belonging to the genus~~ *Escherichia, Corynebacterium, Brevibacterium, Arthrobacter, Aureobacterium, Cellulomonas, Clavibacter, Curtobacterium, Microbacterium, Pimerobacter* ~~or~~ and *Bacillus*.

9. (Currently Amended) The process according to ~~claim 2,~~ claim 1, wherein the microorganism into which the DNA ~~coding for energy non-production~~ encoding NADH dehydrogenase is introduced ~~is a microorganism belonging~~ belongs to the genus *Escherichia*.

10. (Currently Amended) The process according to ~~claim 2,~~ claim 1, wherein the microorganism into which the DNA ~~coding for energy non-production~~ encoding NADH dehydrogenase is introduced ~~is a microorganism belonging~~ belongs to the species *Escherichia coli*.

11. (Currently Amended) The process according to ~~claim 2,~~ claim 1, wherein the microorganism into which the DNA ~~coding for energy non-production~~ encoding NADH dehydrogenase is introduced ~~is a microorganism belonging~~ belongs to the genus *Corynebacterium*.

12. (Currently Amended) The process according to ~~claim 2,~~ claim 1, wherein the microorganism into which the DNA ~~coding for energy non-production~~ encoding NADH dehydrogenase is introduced is ~~a microorganism~~ selected from the group consisting of ~~microorganisms belonging to the species~~ *Corynebacterium glutamicum, Corynebacterium flavum, Corynebacterium lactofermentum*, ~~or~~ and *Corynebacterium efficasis*.

13. (Currently Amended) The process according to ~~claim 2,~~ claim 1, wherein the microorganism into which the DNA ~~coding for energy non-production~~ encoding NADH dehydrogenase is introduced ~~is a microorganism belonging~~ belongs to the species *Corynebacterium glutamicum*.

14. (Currently Amended) The process according to ~~claim 2,~~ claim 1, wherein the amino acid is ~~an amino acid~~ selected from the group consisting of L-glutamic acid, L-glutamine, L-aspartic acid, L-asparagine, L-lysine, L-methionine, L-threonine, L-arginine, L-proline, L-citrulline, L-valine, L-leucine, L-isoleucine, L-serine, L-cysteine, glycine, L-triptophan, L-thyrosine, L-phenylalanine and L-histidine.

15. (Currently Amended) The process according to ~~claim 2,~~ claim 1, wherein the amino acid is ~~an amino acid~~ selected from the group consisting of L-glutamic acid, L-glutamine and L-lysine.

Claims 16-26 (Cancelled).